

REMARKS/ARGUMENTS

Favorable reconsideration of the application as currently amended and in view of the following remarks, is respectfully requested.

Claims 1-6 are pending in the application. Each of Claims 1-6 has been amended. Claim 1 has been amended to clarify that the means language is in means-plus-function format. Basis for the amendment can be found at least in paragraphs [0051]-[0055] of the published specification, as well as in Figure 5. No new matter has been added.

By way of summary, the Official Action presents the following issues. Claim 5 was objected to based on informalities. Claims 1-6 were rejected under 35 U.S.C. § 102(a) as anticipated by Applicants' Admitted Prior Art (AAPA). In addition, in the remarks found on page 3 of the Official Action, it is asserted that Claims 1 and 2 do not in fact recite means plus function language because they do not recite the phrase "means for."

Turning first to the objection to Claim 5, the informality has been corrected. Accordingly, Applicants request that this objection be withdrawn.

Turning next to the assertion on page 3 of the remarks that Claims 1 and 2 do not contain means-plus-function language, Claims 1 and 2 have been amended to clearly recite "means for."

Turning next to the rejection of Claims 1-6 under 35 U.S.C. § 102(a) as being anticipated by pages 1-3 of Applicants' specification, Applicants respectfully traverse this rejection for the reasons which follow.

The reason provided for the rejection of Claims 1-6 can be found on pages 3 and 4 of the Official Action. This portion of the specification discusses a method for monitoring the frequency of a read clock. The specification describes "monitoring a state of consistency of a pulse based on an edge of an N-divider signal of the write clock and a pulse based on an edge of an N-divider signal of the read clock. When discrepancies between the two pulses

continue for a predetermined number of times, the frequency of the read clock is deemed to be inappropriate and a transition is made to read clock NG status. It is further described that “when matches between the two pulses continue for a predetermined number of times during a NG status, the frequency of the read clock is deemed to have returned to an appropriate condition, and the status is returned to a read clock OK status.” See page 2, line 14 to page 3, line 2 of the specification.

From the above passages, it is clear that when discrepancies between two pulses continue for a predetermined number of times, the frequency of the clock goes to NG status and when matches between the two pulses continue for a predetermined number of times during NG status, the frequency of the clock returns to an OK status. Thus, the change in status, as described on pages 1-3 of the specification, is based on discrepancies between the pulses for a predetermined period of time when in OK status, and matching the pulses for a predetermined period of time, when in NG status.

However, the specification (page 14) recites that:

... if status determination is performed based solely on the frequency difference between the read clock RCK and the write clock WCK, as is conventional, problems such as an excessive NG determination or destabilization of status determination may occur. Therefore, in the disk drive device 1 according to the present invention, a more stable status determination, as compared to conventional methods, is achieved by taking into consideration the operational status of the signal processing circuit in subsequent stages.

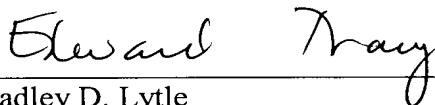
Thus, it is clear that the status determination based solely on the frequency difference between the read clock and the write clock as found on pages 1-3 of the specification, results in problems with NG determination or destabilization of status determination. In contrast, Applicants' claims, as currently amended, recite “the frequency monitoring means includes a state determination means for calculating a cumulative count difference value.”

Claim 1 has been amended to recite the state determination circuit and the cumulative count difference value. Neither of these limitations are found in pages 1-3 of Applicants' specification. Similarly, independent Claims 3 and 5 have been amended to recite the same or similar limitations. From all of the above, Applicants believe that the rejection of Claims 1-6 under 35 U.S.C. § 102(a) based on the information set forth in Applicants' pages 1-3 of the specification is not well founded and should be withdrawn, in view of Applicants' claims as currently amended.

Claims 1-6 are now believed to be in condition for allowance. An early indication to that effect is respectfully requested.

Respectfully submitted,

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